

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

GRCDALLASHOMES, LLC

Debtor.

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Case No. 19-41186

**JOHN CALDWELL RESPONSE TO DEBTOR'S MOTION TO SELL PROPERTY**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES John Caldwell and files this Response to Debtor's Motion to Sell Property [Doc. 334] and would show this Court as follows:

1. Caldwell does not object to the sale of the Oak Grove, Chapman and Sunset Properties as described in the Sale Motion provided that provision is made for possible sales on better terms than those outlined in the Sale Motion.
2. As to the proposed contract on the Lakeview Property (Sale Motion, ¶24) Caldwell does not object provided provision is made for a possible sale "as is" if such sale is in the best interests of creditors.
3. Caldwell objects to any proposed payments of any sale proceeds other than pursuant to the confirmed plan and the Bankruptcy Code.
4. As this Response is filed current counsel for the Debtor has filed a motion to withdraw as counsel [Doc. 339]. If a substitute counsel does not make a prompt appearance on behalf of Debtor this Court should convert this case to Chapter 7 based on the US Trustee's pending motion to Convert or Dismiss [Doc. 338] with the Trustee having authority to execute the Debtor's obligations if the Sale Motion is approved.

WHEREFORE, PREMISES CONSIDERED, John Caldwell prays that this Court approve the Sale Motion subject to the provisions of the Response and for such other relief as is just.

Respectfully submitted,

/s/ Robert M. Nicoud, Jr.

Robert M. Nicoud, Jr.

SBN 15017900

Nicoud Law

10440 N. Central Expressway

Suite 800

Dallas, Texas 75231

(214) 540-7542

(214) 265-6501 fax

[rmnicoud@dallas-law.com](mailto:rmnicoud@dallas-law.com)

### **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was served upon:

Gregory W. Mitchell  
FREEMAN LAW  
1412 Main Street, Suite 500  
Dallas, Texas 75202

CHRISTOPHER J. MOSER, PLAN AGENT  
2001 Bryan Street, Suite 1800  
Dallas, Texas 75201-4240

Office of the United States Trustee  
110 N. College Avenue, Suite 300  
Tyler, Texas 75702

via electronic means or by U.S. First Class Mail, on the 3<sup>rd</sup> day of May 2022.

/s/ Robert M. Nicoud, Jr